

Draft

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Planning Commission Meeting  
Regular Meeting, Nolensville Town Hall  
February 12, 2004  
7:00 p.m.

Members in attendance were as follows: Frank Wilson, Rick Fisher, Willis Wells, Larry Gardner, Bob Haines, James Clark, Joe Curtsinger, Charles Knapper and Rob Pease. Staff present: Richard Woodroof, Dana Ausbrooks, Dave Ausbrooks and Bill Terry.

Agenda Item I – Meeting called to order by Chairman Willis Wells.

Agenda Item II – Pledge of Allegiance

Agenda Item III – Approval of minutes

Larry Gardner stated that Chenowith was misspelled but that he did not know the correct spelling. Mayor Knapper stated that there were some typographical errors including the misspelling of Chenowith and Rob Pease stated that on Page 7, Paragraph #2, the first sentence should read, “Rob Pease stated that he believes there is a workable plan for the project and they would not abandon the plan because the roads can’t handle any more traffic. There was a motion made by Frank Wilson to approve the minutes, seconded by Rick Fisher, pass unanimously.

Agenda Item IV – Citizen Comments

Trevon Townsend, 7207 Nolensville Road asked the Planning Commission to consider approval of a car wash in the commercial section. He showed pictures of the car wash to the Planning Commission. He also stated that if a wand car wash was approved, then that would be placed next to his store and stated that one auto and two wands would be placed under one roof.

Chuck Fann, 2172 Kidd Road asked a question of the commission, what are the next step regarding a PUD. Mayor Knapper answered that the Planning Commission and the Board of Mayor and Alderman will be walking the property. That staff had already staked off lots in the appropriate size and that there would be a workshop of the Board of Mayor and Alderman as well as the Planning Commission next Thursday so that Bent Creek could be discussed.

Ted Behar, 9868 Sam Donalson. Mr. Behar stated that he had some concerns about citizen comments and the timings in the meetings. He asked the Planning Commission to consider having citizen comments throughout the meeting or at the end of the meeting instead of at the beginning of the meeting.

## Agenda Item V – New Business

- a. Zoning Amendments presented by Bill Terry.

### Section 2.23                    **Open Space Development Overlay**

***(This section should be amended by deleting the existing section titled “Eligibility” and replacing it with the following)***

**Procedure.** All sites proposed for the open space development overlay (OSD) shall be a minimum of 15 acres in the size in the ER zoning district and a minimum of 10 acres in the SR zoning district. The OSD is a voluntary process and requires plats to be submitted in accordance with subdivision regulations and the requirements of this section. After approval of the preliminary plat, the planning commission shall forward a recommendation for approval of the overlay zone to the mayor and board of alderman for action to apply the zone. The board of mayor and alderman may approve, approve with conditions or reject the request.

After discussion on this proposed amendment, Rick Fisher made a motion to approve the amendment as written and Joe Curtsinger seconded. Then at that point discussion began. Rob Pease stated that the OSD should be more flexible than a PUD. Mayor Knapper stated that this puts additional buffers on the OSD. Rich Woodroof stated if they met these requirements that are being proposed, then the OSD would be able to come to Nolensville and Mayor Knapper stated that would be a correct assumption that adding this section to the ordinance would build more safeguards. Rob Pease stated that he hoped the members of the planning commission would not be afraid of the OSD and would look forward to implementing an OSD in the Town of Nolensville.

Once again the motion was made by Rick to approve, seconded by Joe, motion passed unanimously.

- b. Planned Unit Development of the proposed amendments to the Nolensville Zoning Ordinance.

Bill Terry explained to the planning commission that previously we had put in a procedure for the PUD in that these additional sections are added to the PUD and they changed the language of text. Bill recommended the following change to:

### Section 2.211                    **Planned Unit Development (PUD)**

***(Add the following to the end of the previously approved recommended procedures for PUDs)***

## **Relationship between Planned Unit Development and Underlying Zoning Districts**

### **D. Combination of Separate Types of Planned Unit Developments**

The planning commission and the board of mayor and aldermen may consider separate types of planned unit developments (residential and commercial) within a single master plan as a single administrative procedure as an overlay over the base residential zones provided the total tract is in single ownership as defined and the land area and location are sufficient to meet the separate type requirements.

### **E. Cancellation of an Approved Planned Unit Development**

In the event actual construction has not commenced within one (1) year after the date of approval of the planned unit development, the planning commission shall conduct a hearing on the project. Official notice of the hearing shall be given to all parties of interest. The hearing shall be for the purpose of examining the continued feasibility of the project and may allow for testimony to support or refute the continuation of such project. The planning commission may act to extend approval of the final planned unit development plan or may act to cancel said approval.

In the event the approval of the plan is cancelled, the planning commission shall transfer such action to the attention of the mayor and board of aldermen for action to remove the planned unit development overlay zone. After action by the mayor and board of aldermen to remove the overlay, the master plan shall be void and have no effect. The base zone district shall remain in effect.

Ms. Ausbrooks asked that Bill Terry define single ownership since single ownership does not appear in the definition section. There was also discussion on what starting construction means. Mr. Terry stated that starting construction means actually breaking ground.

A motion was made by Rick Fisher to approve sections D and E as written. James Clark seconded the motion. The motion passed unanimously.

Bill Terry recommended the following changes to:

C. Specific Standards and Criteria for Residential Planned Unit Developments.

In addition to the standards and criteria set forth above residential planned unit developments shall comply with the additional standards and criteria specified below:

**Design and Preservation of Open Space.**

Open space shall be provided as common open space as a condition of an approval of a planned unit development. No open space may be designated as common open space under the provisions of this section unless it meets the following standards:

The common open space must be usable for recreational purposes or must provide visual, aesthetic or environmental amenities. Any use authorized must be appropriate to the scale and character of the planned residential community.

Any buildings, structures and improvements proposed to be located in the common open space must be appropriate for the uses proposed and must enhance the community with amenities related to recreation, topography or environmental concerns. In addition, these improvements must be located to benefit all of the residents of the planned unit development.

If a planned unit development is to be built in phases, any proposed improvements within the common open space must be developed to ensure that each phase of the development shall have the benefits of the common open space facilities. Each phase of the project shall be required to plat the proper portion of the open space consistent with the percentage of the land areas being platted for lot sales and to maintain the approved density.

No common open space shall be conveyed to a property owners association until it has been determined by the planning commission that the character and quality of the tract to be conveyed is suitable for the proposed use for which it is intended.

The minimum amount of open space to be conveyed as common open space shall be 30 percent of the gross area of the tract proposed as a residential planned unit development. These are the changes proposed by Bill Terry.

Rob Pease stated that in addition to the last paragraph where it says that 30 percent shall be open space, he would recommend adding the following: Planning commission may require additional open space based on existing site conditions.

Bill Terry then went to the next area which is Density of Development and Lot Size.

The maximum density shall be a 1.25 bonus over the base zone density standard. For single-family detached housing units the minimum lot size shall be 7,000 square feet. When a plan includes attached housing, the lot size requirement shall not apply, and the density shall be the controlling factor. Attached housing sites shall be calculated separately from single-family sites.

Bill stated that in this section, the maximum density changed.

Larry Gardner asked a question, what about if the lot size was less than one quarter of an acre?

Rob Pease stated that he did not believe that the planning commission should regulate the lot size.

Rich stated that with these changes it makes the OSD more profitable and that the only benefit would be the commercial aspect of the PUD.

Bill Terry then stated that the permitted uses, the conditional uses, and the prohibited uses were all in these sections.

### **Permitted Uses**

- Single-Family Detached Homes
- Attached Housing
- Accessory Home Day Care
- Parks

### **Conditional Uses.**

- Home Occupations
- Day Care Homes
- Utility Facilities

### **Prohibited Uses.**

Any use not permitted above by right or conditional use shall be prohibited.

### **Specific Standards and Criteria for Planned Commercial Developments.**

Including: Permitted Uses, Prohibited Uses, and Bulk Requirements are all new.

Rick Fisher made a motion to approve the section entitled Design and Preservation of open space with Rob Pease additional wording which is stated at the end of the final paragraph. The language is "The planning commission may require additional open space based on existing site conditions." His motion also was to approve the accessibility of the site, off street parking and pedestrian circulation. He further stated that the density of development and lot sizes that permitted uses, conditional uses, prohibited uses as well as the specific standards and criteria for planned commercial developments with the permitted uses, prohibited uses and bulk requirements should be taken into consideration but not voted on at this time.

Frank Wilson Seconded that motion. The motion passed unanimously.

Bill Terry then stated a proposed zoning amendment to Section 9.1.2 which is the Map Amendment.

#### ***(add the following)***

- F. The planning commission has recommended approval of an open space development or planned unit development overlay.

Rick Fisher made a motion to adopt the map amendment as stated by Bill Terry, Larry Gardner second and the motion passed unanimously. This section would be added to page 120 of the Nolensville Zoning Ordinance.

Bill Terry then went through recommendations for appendix C.

### **APPENDIX C – SITE PLAN REVIEW**

#### ***(Section 1.2.0 should be amended as follows)***

**SITE PLAN.** All other uses or building improvements that require a building permit shall first have a site plan approved by the planning commission. Such site plan shall meet the requirements of Section 1.4.0 below.

Bill Terry stated that he cleaned up the site plan language and that he deleted some language.

Rick Fisher made a motion to approve as written. Bob Hayes Seconded and the Motion passed unanimously.

## **CAR WASH**

Mayor Knapper stated that there is interest in the car wash but he believes that there is no need for a car wash in places not visible.

Last planning commission meeting – Car washes were permitted with condition uses in the OI and CS zone.

Rich Woodroof provided for the planning commission existing and additional conditions for car washes. Rich stated that conditions for car wash were voted on in the January 15, 2004 planning commission meeting and that one through seven had already been approved conditions for car washes by the planning commission. In the document there is also an eight through twelve which were possible additional conditions for a car wash. Rich read through the existing conditions as well as possible additional conditions for car washes.

Rob Pease asked a question, masonry walls, in the definition does that also include cement blocks?

Bill Terry recommended that masonry walls be changed to brick or split face architectural block as a definition.

Mayor Knapper pointed out that any water run off that was a problem that Nolensville had no control under that. The water run off would be regulated under Metro.

The question by Joe Curtsinger with the vacuum. If there was an intent to hide the vacuuming area.

Bob Hayes asked if there were any specific lighting standards. He felt that there should be adequate lighting of the area.

Mayor Knapper stated that the car washes need to be monitored and attended.

Rob Pease felt that instead of a six feet berm, maybe a three foot berm would be more appropriate.

Trevon stated that he would provide a covered building for the vacuums. There will be brick walls on each side.

Joe Curtsinger said that he felt that the vacuum areas should be enclosed.

Mayor Knapper recommended making a number thirteen which would state that the vacuum equipment is housed inside.

Larry Gardner asked whether the planning commission wanted a wand and an automatic on both of those car washes on one site.

Rich clarified that sections 9 – 12 were for either of the automatic or a wand car wash, that only number 8 was for an automatic car wash.

Larry Gardner said there needs to be a combination of a wand and automatic on one site.

Mayor Knapper recommended a minimum of two wands and one automatic ratio and he recommended that you could have either one automatic facility or a combination of the wand and automatic facility but that he did not recommend just a wand on one facility.

Bill recommended for the berm, that you look at either a standard buffer B, or look at a three foot wall.

Rob Pease recommended a minimum three foot tall berm or three foot high brick wall or buffer yard a., or meet the landscape requirements on major arterials which would be found in section 1.5.4 of the Nolensville Zoning Ordinance.

Larry Gardner asked a question what would happen if the lot is 100 feet wide and Rob Pease stated that if it were 100 feet it would be based on a ration.

Rich recommended that the number 2 of the existing conditions be changed to state if washing facilities and vacuum facilities shall be located within a structure which is enclosed except those openings necessary for vehicular and pedestrian ingress and egress. Such openings shall not face any adjacent residentially zoned property. He also recommended on number 5, number 5 reading hours of operation. Operation of the car wash shall be prohibited prior to 6:00a.m. or after 10:00p.m. on any day of the week. He further recommended on 8b, the language be all washing facilities and vacuuming facilities shall be located within a building which is enclosed except for those openings which is necessary for vehicular and pedestrian access. Such openings shall not face any adjacent residential property. Lastly on 8c, recommended if located within 100 feet of a residential zone district, permitting residential uses come out and that c. read operation of the establishment shall be after 6:00a.m. on or prior to 10:00p.m. on any day of the week.

Mayor Knapper made the motion that the planning commission excepts number 2, adding the vacuuming facilities language, 8b adding the vacuuming facilities language, that 9 – 12 apply to wand and automatic allowing one automatic and two wand ratio. That a dumpster should be enclosed. Anywhere where masonry is stated that should be changed to brick or split face architectural block, and that number 12 should be a 3 foot berm or a 3 foot high brick wall, and standard A buffer yard along front a property, and that attendants should be provided during



hours of operation. Mayor Knapper then said that attendants on site of car wash on an hourly basis or not on site during regular hours, but finally determined that attendants should be required during hours of operation.

Larry Gardner recommended that 8-10 be the operation of the car wash.

Mayor Knapper said is that reasonable and Rob Pease and Larry Gardner then discussed 6:00a.m to 10:00pm.

Mayor Knapper then discussed car wash hours of operation being from 6:00a.m. to 12:00p.m.

Mayor Knapper then made the same motion as previously stated changing the hours of operation to 6:00a.m. until 10:00p.m. on any day of the week. Stated that the conditional use for the CS zone to be included in 2.2.7 and that conditional use for the OI zone should be 2.2.8.

Rob Pease seconded the motion, all motion passed except for Larry Gardner who voted no.

#### Agenda Item IV – Old Business

Rich made the bond report, stated that McFarland 3 and 4 is due on 6/12/04. There has been some movement on the punch list and that building permits on 5 and 6 would not be issued until punch list was complete.

#### B. Bent Creek

Mayor Knapper stated that any comments needed to be submitted by 2/13/04, there will be a meeting next Thursday at 7:00p.m. at Town Hall for a workshop with the planning commission and the board of Mayor and aldermen. It would allow dialogue from some planning commission members.

Mayor Knapper requests that you conduct yourself in an orderly fashion. The point of the meeting is to have a give and take with the developer.

Mayor Knapper stated that staff has marked off buffers and lots that during the field trip you will also look at commercial areas where roads will go. Mayor Knapper stated to bring your boots because it will probably be muddy for the field trip. To meet at Town Hall at 9:00a.m. for the field trip and the agenda is to look at map and see if there is something more we want to add to the map.

#### Agenda Item VII – Other Business

Mayor Knapper stated that he met with Bill Terry on 2/12/04 and that Mr. Terry over the next two months will develop a land use policy plan and a land use map. He will continue to look at the ordinance and after those items are completed then he will look at a major road plan for the Town of Nolensville. The final phase of what Mr. Terry will do will be a comprehensive plan for the Town of Nolensville which will include the land use plan, the major road plan, the capitol improvement budgets and an assessment of needs.

Mayor Knapper handed out the goals and objectives that have been compiled by Mr. Terry. He asked the members of the planning commission to bring them back next meeting so that Mr. Terry could create a plan for the Town of Nolensville.

Mayor Knapper also stated that he met with the Williamson County Economic Development Council, that they wanted to know if Nolensville had need for certain services, for example, cleaners or restaurants, stated that he had written a letter to O'Charleys and that he had also had contact with other possible establishment in the OI zone that would be related to an Ice Cream Franchise. He thought that this would be good for Nolensville because it would bring new jobs.

Another point of business was that staff will mark plat as a plat when they received those drawings and they will mark it on the agenda.

Rick Fisher stated that he would like more informative agenda's for instance on the February 12, 2004 agenda it just says Bent Creek under old business and his example was to include what about Bent Creek was going to be discussed.

Agenda Item VIII-Adjournment – The meeting adjourned at 9:40